ELIAS SMITH EDITOR AND PUBLISHER

Wednesday.....August 31, 1859.

The Indian War at the North.

Indians, having been joined by Major Lynde's degradation and woe. counties. According to reports the Indians ble and law-abiding man, of whatsoever faith have driven from Ogden Hole, and Box Elder he may be, will object. kanyons, since they ascertained that they were to be looked after by the United States troops for their doings near Raft Creek, over one hundred head of fat cattle, the greater part of which have been taken since the battle on the 13th inst., at Devil's Gate kanyon. They have also taken about twenty horses from the citizens of Cache Valley, and killed four others, and committed some other depredations in that vicinity.

Having been informed that five or six Indians had been seen in Box Elder Valley, on the morning of the 21st, by some men returning to Cache Valley from Brigham City, where In this column, - you who want stoves, sheet they had been for the purpose of getting some iron, etc., and remember our caution about wheat ground, a company of Dragoons prices. marched to the place from Bear river, but made no discoveries; taking good care as reported, not to be surprised, nor to get within musket shot of any place where Indians might be bid, which was very natural, of course. After making a cursory examination of the lower end of the valley, seeing no signs! of the enemy, the company returned to head quarters at the ford, where, as understood, the whole force, consisting of some six or seven companies entend to remain till winter, bring them into subjection, which, if true, is certainly a novel way of conducting an Indian war. It may be the perfection of military science, and productive of great glory; and the untamed savages may thereby be so completely humbled that they will never after commit any depredations on emigrants or citizens of the Territory, but the expense that will accrue to the United States, and to the citizens of the northern country, whose property will be unprotected, while the new scheme is being tried, cannot fail to be ruinous in the extreme, especially if the Indians do not leave the northern frontier and retire to Washington Territory till the farce is ended.

of any wilderness portion of the United States visible. were protected against the depredations of civilized or savage foes, but that time seems to have gone by, and there is no other course for those to pursus whose stock and other property is exposed to the depredations of the savages under present circumstances, if they wish to preserve it, but to guard and protect it to the best of their ability, collectively and in- 1 dividually, night and day, till the termination of the existing difficulties. If they do not, the Indians will not soon be starved into subjection, and the magnanimous scheme proposed for bringing them to terms will be an entire failure.

THE RECENT MURBER .- It is with feelings of disgust that we have to announce in this number that another murder has been committed in this city where, till a system of fashionable morals was introduced in the summer of 1858 for the amelioration of the community and the establishment of an order of things consonant to Republican institutions as understood and practiced generally throughout the United States, peace and quietness prevailed and men were secure in their persons from assault and assassination, both by day and night; but since the beauties of civilization and refinement, so congenial to many, have been dispart of the city, measurably given up to such as wish to practise iniquity or to take lessons in degradation and crime; and the tenure of life there is becoming a matter of uncertainty, so. much so that men who have no particular business to transact in that vicinity are not often seen there, especially in the evening.

This is a deplorable state of affairs and the sooner the end thereof comes, the better it will be even for those who seem to be in the height of their glory, rejoicing that they are not restrained of their liberties and can do and say

what they please, though it may tend directly or indirectly to death, not only to themselves FIRST JUDICIAL DISTRICT but to those with whom they associate or by whom they may be surrounded.

We do not object to the free exercise of all the rights guaranteed to man, but we have an utter abhorrence to vice and crime, and de-At latest dates from the north, the troops spise such actions in our fellow beings as tend sent from Camp Floyd to operate against the to debase the human family and sink them in

command, lately returned from the Humboldt, How long the present state of things will exwere encamped at the Ford of Bear River, ist here is unknown, but we humbly trust that and no very energetic measures were being the time will shortly come when murders will taken to protect the emigrants, or to punish | cease and peace and quietness will be restored the Indians for their attack on the emigrant to this community-when the wicked will train, and more recent depredations upon the find it uncongenial to dwell in this land. Such citizens of Weber, Box Elder, and Cache is our hope, and to the change no reasona-

> CHIEF JUSTICE ECKLES' COURT. - We publish in this number the proceedings of the court in the First District at Nephi, during the first four days of the session, and shall continue to keep our readers apprised of its doings from week to week during the continuance of the present term. We have no comments to make at present, further than that Judge Eckles manifests a desire to be more expeditious in the transaction of business than has been common of late in this Territory.

Se the advertisement of Dyer & Bro.

Advertisements. New

ESTRAYS.

have in my possession, a light red COW and CALF, no brands or marks visib e. The owner is requested to prove property, pay charges

and take heraway. M. ANLERSON Lehl City.

A. S. BECKWITH. Gold Pen Manufacturer.

TEWELER and STENCIL CUITER, Gold Pens & Jawelry made to order. Stencils cut on short notice Watch materials supplied to the trade on liberal terms. and then starve out the Indians, and thus Gold and Silver bought, a rew doors north of Perry's Store, at Bywaters Watch Maker.

LOST

QUILT, checked chocolate and wnite; also a blue single BLANKET. Said things were lost on Saturday, 26th inst, on Jordan road, between the bridge and Father Pulsipher's or on the street turning south of his house. Any person having found said things would confer a great favor upon the owner, by leaving them at Pather Pulsipher's or Bro C, C. Riser's or at Dr. Sprague's 13th A. P. WELCHMAN.

TAKEN UP

ON the 17th instant, out of tan grain in the Big Field, One yellow MARE, black mane and tail, three while feet, a little white upon her nose, branded C N with a figure like a V on the left thigh.

Also one grey HORSE, about four years old, branded them away, half mile south of Pr s . Young's mill. J. R. GILBERT.

STRAVED OR TAKEN UP TROM the range near I. hi, in Utah Vailey, about two

I months since, a brindle CO ", about 5 years old, of court on punctuality of attendance, adding that Mar-The time was when the settlers and ploneers with a young caff, some white about the flanks, white shal Kirk may as well be at G. S. Lake city as in this bushy tail, branded on the left shoulder, but not very

Any person that can give information of the whereabouts of said Cow and Calf, shall be liberally rewarded. M. ANDERSON, Lohi City.

J. C. LITTIE & CO. TIAVE juse received a large consignment of choice

WINES, LIQUORS, CIGARS, TOPACCO, &C.

The Consignee being anxious to return to the States immediately, instructs us to close his stock at

WITHOUT FREIGHT.

WITH EXPENSES OF SALE ADDED. 40 YOKE OF CATTLE and a number of wagons to be disposed of at low figures.

MOULD respectfully announce to the citizens of Salt Lake City and Valley, that we are now receiving and opening, next door north of Messrs. Gilbert & Gerrish, and at Camp Floyd, our large slock of Merchandize, which his played here, blood has freely been shed in that been selected with great care, expre sly for this maket, and which we are determined to sell as low as any house in the city.

We would say to the Ladies that we have a large stock of Dress Goods, sultable to their wants, and which we would be pleased to have them call and examine.

100 COOK STOVES IFFOR SALE

5000 LBS. SHEET IRON FOR SALE

WE have 150 YOKE OF CATTLE to sell or exchange FOR COUNTRY PRODUCE.

[REPORTED.]

COURT.

MONDAY, Aug. 22, 1859.

Court met pursuant to appointment in the court house, Nephi city, Juab county, Hon. D. R. Eckles presiding. Mr. J. Banion being sworn as crier of the court by his honor, and received the necessary instructions as regarded

The judge then read rules touching the duties of the clerk of the court, and also rules on process, attorneys, etc. The list of grand jurors summoned was called as fol-

lows. The venire having been issued by the judge in chambers, some weeks before:

G. H. Cromer, S. M. Taylor, Wm. Sheriff, H Wall, Sam. Martin, G. H. Crosman, jun Orin P. Parish, E Elmer, Joseph Taylor, M. J. Wheeler, E. M. Morgan, R. J. Hollman, David Cook, J. M. Wallace, R. Roilins, W. J. Larkins, W. H. Warner, John Needham, William Lent, Josiah Miller, Capt. J. Radford, G. Lesly, T. J. Schoffeld, James Rollins, Charles Sperry, Ezra Strong, John Hoyle, Hutchinson, with

others. E. J. Hollman and Wm. Sheriff were excused as Jurors for cause.

Sam. Martin and David Cook exempt not being natural-

The judge appointed Capt. J. Radford foreman of the grand jury, who was sworn; and those of the jury that were present were sworn by fours.

Geo. Lesley excused from attendance for cause.

T. J. Schoff Id exempt, not being naturalized.

Attachment ordered for the bodies of J. S. Hutchinson, T. P. McManners, R. H. Dyer, C. Gavin and F. Drum for not answering to summons as jurors.

W. G. Lurkins was made a citizen of the United States. Court ordered Marshal Kirk to summon talesman to fil vacancies in grand jury.

2 p.m.

Court took a recess till 2 p.m.

Court resumed its session.

The judge complained that officers of court were not

punctual in their attendance. The names of the grand jury were called and some being

absent, court proceeded to other business. Judge ordered the bailiff to bring in the bodies of the

prisoners, McDonald, Bartholomew, Earl and others; also the bodies of J. Scott, J. Martin and others.

In the case of The people of the UnitedStates vs. J. Scott and J. Martin, the defendants not answering, judge ordered their recognizance to be spread on record; and said, I shall enter rule against the marshal for the absence of these prisoners.

Rule spread on record.

Case of people vs. Lysander Gee laid over.

The Court then ordered the bailiff to call G. P. Billings sheriff of San Pete county, who had the charge of the prisoner, Thos. Ivie. At this juncture the judge received thro' a deputy, Sheriff Billings' memoranda, etc., which announced the escape of said prisoner.

The judge said, I enter rule against Geo. P. Billings, sheriff of San Pete county, to be returnable on the 29th T on the left thigh. The owners are requested to fetch day of August 1859, to show reasons why he has not brought before this court the said prisoner, l'hos. Ivie, according to writ issued by me.

Marshal Kirk being absent, the judge instructed officers town and not present.

The judge then sent the bailiff after Marshal Kirk, and took a recess of about 15 minutes to allow time for the execution of the order.

Court resumed its session.

When by order the names of the grand jurors were called

by the marshal (not all present). Judge the entered rule against John Hoyle, Josiah

Miller who were not present to answer to their names when called, then ordered the marshal to furnish the clerk a list of the names of grand jurors and ordered clerk to issue writs of attachment against absent jurors to wit-John Hoyle and Josiah Miller, remarking that he had waited now one hour since the time of adjournment.

The court then appointed J. Bigler to act as bailiff for the grand jury.

Josiah Miller came into court, the Judge interrogated him as to the cause of his absence, when on receiving a sufficient excuse, discharged the writ of attachment issued against him.

The names of the grand jury were again called, all present. The fist as filled was as follows:

James Rolling, John Radford, William Lent, Henry Hall, John M. Wallace, M. Morgan Edgar. Geo. H. Crosman, jun. John Hoyle, Wm. J. Larkin,

Wm. H Warner,

Charles Sperry,

Thomas Gustin,

Charles W. Faust, Joseph Taylor, Sam. M. Tavlor. Horace R. Howe, Matthew J. Wheeler, James Packan, Orin E. Parish, Josiah Miller, Geo. W. Harris, Geo. P. McFarlane.

Robert Rollins,

Edsel Elmer,

Judge Eckels then delivered the following

CHARGE TO THE GRAND JURY.

Gentlemen of the grand Jury: The highest duty the citizen is called to perform in a country where common iaw prevails, is imposed upon him as a grand juror. No God and the offended laws of his country. man in this country can be held to answer upon any criminal charge but upon the presentment or indictment of a grand jury; you have, therefore, very responsible duties to perform; in the discharge of them, it behooves you to discard every prejudice and partiality.

It is but natural perhaps, situated as we are in this country, that you, in common with your fellow citizens, may have some sort of prejudice and prepossesions; but you should leave them out of doors; they should never enter the jury room. This is a duty you owe to yourselves, to the community and to your common country; as a momentarily excited passion, he cannot be regarded as

grand jury you will know nothing but the faithful dis charge of your solemn duties.

The oath which you have just taken will be the sure guide to you in the discharge of your duties-"That yo will diligently inquire into, and true presentment make of all offences committed within the jurisdiction of this court; you are diligently not lazily to enter upon your duties; diligently and carefully to examine each witnes) that shall be brought before you, that you may see hor much and what he knows in relation to every matter touching your present service.

The next branch of your oath is that you will dire presentment make of all such matters as shall be given you in charge by this court." This portion of your duty implies that it is the duty of the court to give you a charge, and in complying with this duty, I will give you in charge the laws of the federal as well as territorial legislatures prohibiting the various offences mentioned in them. Of the former those most likely to have been committed in tois district are offences by disbursing officers and those connected with the post office department; it is the duty of disbursing officers to make payments in drafts, treasury notes or coin; the kind of funds provided for them must be disbursed by them.

If any of this class of officers have failed to do so, it is your duty to inquire into it, and report it to this court.

The entire community are interested in the faithful discharge of the duties imposed by the laws on postmasters and mall carriers; if you shall find any of these have been violated, I trust you will promptly inquire into it. The sooner such offenders are brought to justice, the better it will be for the people and the government.

One public officer can do more harm than twenty private persons, if found faithless or vicious; and I hope you will, by your course repel the old maxim as a slander, which says, that the daw is a net intended to catch the little fish, while the big ones escape,' by reporting both great and small, whoever they may be.

There is a gentleman now in custody as I am advised charged with forging drafts or checks on the treasury of the United States; I trust you will give your attention to this case at your earliest convenience. Such cases are entitled to precedence that the accused may have a speedy public trial.

The act of Congress makes it a felony to forge checks and drafts on the treasury; this offence, like larceny and most other felonies, may be committed by several persons, where men combine together to commit crime; the law regards all as principals who do any act in furtherance of the common design, and they are equally guilty although they may live in different counties. One may do an act, in one county, tending to the consummation of the crime, and another, some other act in furtherance of the same object in another county, until the offence is consummated, and in such case they are all answersble in the county where the offence is consummated. though but one of them may ever have been in such county.

The place at which the offence is perpetrated determines the venue and not that of the offender's residence. When you find an offence has been complete, you will bring the offenders before the court where the offence has been committed. [The judge here described the bounds + ries or the 1st Judicial District, within which the inquiries of the jury were limited] - and said-Gentlemen of the grand jury, it is not necessary to detain you long in defining the various statutes creating offences. Should you at any time have need for the advice or opinions of the court you have the right to them, and they will be given to you at any time.

I will, however, give to you in charge specially some of the offences created by the Legislature of the Territory and the punishments affixed to them. Among the most important of these is the crime of murder.

[Here the judge read the statute against murder, and explained to the jury the distinction between murder in the first and second degrees, and manslaughter and offences of duelling, seduction, rape, &c.]

The laws are applicable to every class of offenders in the community except to such places as are under the exclusive jurisdiction of the United States; and for offences in such places the offenders are unanswerable under the acts of Congress in this court, sitting as District Court of tha United States.

It is the duty of the Government to give protection to rights of persons and property. In England and many other countries men are said to cede away certain of their rights for the better security of the rest of them; but this is not true of this country. Ours is a political partnership formed for the purpose of securing to each citizen the enjoyment of his entire rights. Every American is an independent sovereign, and it is his duty to see that every man is protected in the enjoyment of these rights; indeed, our institutions are 'a mutual protection society to secure the rights of each member of it against the deprivation of his rights; so, gentlemen, while you use every exertion in your power to bring offenders to justice, you will, at the same time, act as protectors to the innocent.

You have nothing to do with punishment affixed to offences that more particularly belongs to the pettit jury. Common rumor says that there has been a great many crimes committed within the limits of this district for which the offenders have not been brought to justice.

Now, although these rumors should not govern you in your deliberations, it gives us reason to believe that quite a number of serious offences have been perpetrated which should come under your notice, and I shall be pleased to see the offenders brought to justice.

Man should be allowed to pass through life in peace, free from violence or molestation, to be as happy as he can in this world of care and turmoll; and he that would assume the high prerogative of God in inflicting judgment on his fellow man is liable to the vengeance of that

In reference to the crime of duelling you will see that at every step that can be taken every person concerned, whether as principal or in any other capacity, all are guilty of an offence, and I really think that those who aid and abet are often more guilty than the principals. For, as in cases of murder, the principal actor may be the victim of momentary and excited passion; while those who ald, abet and encourage it, are acting coolly and deliberately.

When a person kills another under the influence of